

Registered number of application
Date complete application received
Receipt No.....dated...../...../.....for \$.....fee submitted

REGIONAL, TOWN AND COUNTRY PLANNING ACT, 1976

**APPLICTAION
INTERMS OF SECTION 26 OF THE ACT**

For a Permit for Consolidation not in District Council Areas

To the
(name and address of local planning authority)

I/We hereby apply for a permit in terms of section 27 of the Act in accordance with the particulars given below.

My cheque / postal order No..... cash or revenue stamps in respect of the application fees, accordance with Note 1 (b), accompanies this application form.

.....
Date

.....
Signature of applicant or agent

If signed by agent:

I authorize.....of
.....
(telephone No.....) to act as my agent in the submission of the application.

.....
Signature of applicant

.....
*Signature of owner of land concerned
indicating his consent to the application*

PART 1 – GENERAL
(to be completed by all applicants to the extent appropriate)

<p>1. Name and address of applicant: a) Surname or company name b) Other names c) Postal address d) Telephone number</p>	<p>a) (Mr / Mrs/Miss) b) c) d)</p>
<p>2. Name and address of owner a) Surname or company name b) Other names c) Postal address</p>	<p>(a) (b) (c)</p>
<p>3. State:- a) The description of the property concerned as indicated on the title deeds b) the street address of the property concerned</p>	<p>(a)</p>
<p>4. Size of property</p>	
<p>5. Are there any restrictions in the title deed which are at variance with the development proposed in this application? (see Note 3 in this connection.) If the answer is YES, a Photostat copy of the title deed must be submitted.</p>	<p>YES or NO</p>
<p>6. Describe the development proposed, including the purpose for which the land and/or buildings are to be used. If to be used for more than one purpose, give details. (see Note 4 in this connection.)</p>	
<p>7. State:- a) the present use of any building(s) b) the last use and date thereof of building(s) if presently vacant</p>	<p>(a) (b)</p>
<p>8. (a) State whether the development proposed involves a new access or an alteration to an existing access to the property (b) If YES to (a) give details</p>	<p>(a) YES or NO (b)</p>

PART II – IF THE APPLICATION INVOLVES

- A. Any change of the use of the land or buildings, then give details of the exact nature of the alteration of the character of the land/or buildings. (See Notes 2 (c) and 4 in this connection.)
- B. The carrying out of any building operations, then in respect of any building operations proposed, state:-

(i)	the external area to be covered by such buildings	(i)
(ii)	the estimated cost	(ii)

- C. The carrying out of any mining or quarrying operations, attach as an annexure hereto, either **additionally or alternatively** to the information required under sections 6 (part 1), 9 or 10 (Part III) or under part III, full details of the surface and underground workings proposed and of all surface building operations contemplated. In the case of surface workings – quarrying or strip mining – give details of your land restoration programme. (*Consultant's reports will materially assist the local planning authority is deciding any application involving large scale development.*)

PART III – ADDITIONAL INFORMATION REQUIRED FOR MULTIPLE RESIDENTIAL,
COMMERCIAL OR INDUSTRIAL DEVELOPMENT

<p>9. State:-</p> <p>(a) State nature of the proposed use or uses</p> <p>(b) the number of floors in the building(s) concerned</p> <p>(c) the total area of the building(s) concerned</p> <p>(d) the provision to be made for loading and unloading of vehicles.</p>	<p>(a)</p> <p>(b)</p> <p>(c)</p> <p>(d)</p>
<p>10. Give details of the extent and location of parking facilities for:-</p> <p>(a) Occupants of the building (s)</p> <p>(b) Visitors to the building(s)</p>	<p>(a)</p> <p>(b)</p>
<p>11. If the building is to be used wholly or partly for industrial purposes, give details of the processes to be carried on</p>	
<p>12. (a) For industrial development, give details of the method and location of disposal of trade waste or trade effluent, in particular the content of:-</p> <p>(i) Any waste or effluent water that is likely to be discharged</p> <p>(ii) Any noxious or offensive gas, smoke or dust that is likely to be emitted</p> <p>(b) State whether it is proposed to conduct retail sales from the premises. (See Note 5.)</p>	

NOTES:

1. In this application:-

“applicant” includes the person who proposes to carry out the development concerned or will instruct another e.g. a building contractor to do so. He need not necessarily be the owner of the land. If he is not the owner he must furnish the written consent of the owner to the application.

“agent” includes a person authorized by an applicant to act for him, e.g. an attorney or architect. When an agent submits an application the local planning authority will deal only with him:

“multiple – residential development” includes any residential development other than a detached dwelling house intended for the occupation of a single family:

“owner” in relation to private property means the person registered in the Deeds Registry as the owner. The holder of a long lease is not the owner.

2. The application must be accompanied by:-

a. of drawing showing
(insert number of sets)

- (i) all floor plans, the elevation and cross – section of all the proposed buildings to a scale of not less than 1:100;
- (ii) in the case of commercial buildings, an elevation of the proposed building together with the elevations of the adjoining buildings on each side;
- (iii) in the case of alterations or extensions to existing buildings, all proposed buildings marked in red;
- (iv) the materials to be used for the external walls and the roof of the proposed building building;
- (v) The position of the proposed building in relation to-
 - A. any existing buildings;
 - B. the boundaries of the property and the description of adjacent properties;
 - C. any abutting roads (giving names)
 - D. any watercourse;by figured dimensions on a site plan to scale adequate to show clearly the required information;
- (vi) the position of any existing and proposed vehicular access to the property;
- (vii) in the case of any building to which the provision of part III of the form apply, the portion of the site to be set aside and maintained for the parking, loading, unloading or fueling of vehicles

(Where there are numerous drawings being submitted, the applicant is advised to list all drawings accompanying the application from)

b) a fee of \$.....in respect of **each property** for which the development
(*planning authority to insert amount*)
Referred to in this application is proposed;

(c) the written consent of the holder of any real right registered against the title deed of the property concerned, in the case of development proposed which involves an alteration in:-

- (i) the character of the use of any land or building; or
- (ii) the conditions of title to the property.

Thus written consents of bondholders, lessees of registered leases, etc., will be necessary in these circumstances. (See Notes 3 and 4 in connection with these requirements.);

d. a Photostat copy of the title deed, in the case of any development proposed which conflicts with any condition registered against the title deed of the property concerned. (See Note 3 in this connexion.) (Where the title deed indicates any condition applicable to the property concerned by reference to another deed, e. g. the diagram –deed, a Photostat of that other title deed must also be submitted.)

3. It is important that the applicant states specifically in paragraph 5 of Part I of the form whether or not the proposed development will conflict with any condition registered against the title deed of the property concerned. This information is vital for the local planning authority to exercise its responsibilities correctly. IF INCORRECT INFORMATION IS GIVEN IN THIS MATTER THE APPLICANT MUST BEAR FULL RESPONSIBILITY FOR ANY CONSEQUENCES THAT FLOW THEREFROM. Apart from the requirement referred to in Notes 2(c) and 2(d) above, the applicant will be required to give public notice of any application proposing development which conflicts with a condition of title which confers a right that may be enforced by the owner of another property.

4. Any "development" as defined in section 22 of the Act will normally require a permit from the local planning authority before it may be undertaken. The most important matters falling within "development" are mining and quarrying operations, building operations and alterations in the character of the use of land and building. However, most development associated with the normal agriculture activities carried out on a farm of 100 hectares or more does not require a permit but there are exceptions and these are set out below:-

(a) any building operations which are to be carried out within 200m of the centre line of any road declared to be a main or district road in terms of the Road Act [Chapter 263];

(b) any building operations within an area specially designated by the Minister by notice in the *Gazette* as a scenic beauty area in terms of section 22 of the Act;

(c) building operations or alterations in the character of use where the proposed development concerns the provision of accommodation or facilities for persons employed directly on the farm.

(d) building operations or alterations in the character of use where the proposed development concerns a "feed-lot".

5. In terms of subsection (1) of section 6 of the Regional, Town and Country (Development) Regulations, 1976, the local planning authority is required to send details of the application to:-

(a) the secretary for Health, in respect of any development likely to give rise to noxious or offensive gas as defined in section 2 of the Atmosphere Pollution Prevention Act [Chapter 318]; and

(c) the Secretary for Natural Resources and Water Development, in respect of any development which may give rise to water pollution including any development likely to discharge, other than directly into the sewage system of a local authority, any effluent of waste water which may not comply with the standards of quality prescribed in the Water (Effluent and Water Waste Standards) Regulations, 1977 (R.G.N. No 687 of 1977.)

This aim of these requirements is to ensure proposals which could result in the pollution of the atmosphere or any watercourse or underground water is the subject of careful scrutiny by Government experts before these proposals are approved. At this early stage, improvements can be incorporated in the plans for the development which could reduce or even remove the harmful nature of these by-products altogether. As a result of the action by the local planning authority outlined above, the Ministries of Health and Natural Resources and Water Development could well call for additional information from the applicant in order to establish the extent and nature of possible pollution from the industrial process proposed. To avoid delays in dealing with the application, the applicant is requested to provide this information promptly. The following types of industry, in particular, are likely to give rise to serious pollution problems:-

Abattoirs, breweries, chemicals, dairy, fertilizer, foundries, metal-plating, pulp and paper mills, steel manufacture, tanneries, yeast manufacture.

6. Any information additional to that set out in the form which the applicant considers to his application, or where the spaces provided are inadequate for the particulars required, should be submitted in the form of numbered annexures.